

## **APPLICANT'S REMARKS**

### **1.     Status of the Claims**

Claims 1, 2, 4, and 8–11 are pending.

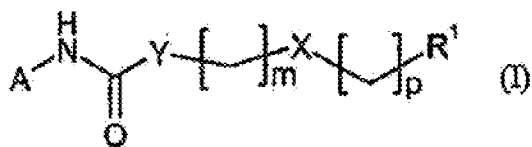
Pursuant to 37 CFR 1.121, a listing of the claims is not provided because this response does not include a change to an existing claim, cancellation of an existing claim, or addition of a new claim.

### **2.     102(e) Rejection**

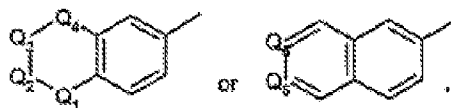
The claims are rejected under 35 USC 102(e) based on International Publication No. WO 03/095420 (YURA).

The Applicant respectfully submits that the Examiner's action appears incomplete because the Examiner does not explain the reasons for rejecting the present claims based on the cited reference. However, to comply with 37 CFR 1.111, the Applicant provides the following remarks based on the Applicant's preliminary understanding of the Examiner's reasons for rejection.

The Applicant respectfully disagrees with the Examiner and submits that the present claims are not anticipated by YURA. For example, YURA does not disclose or even suggest a compound of Formula (I)

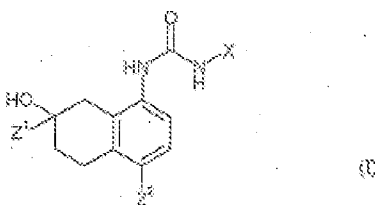


wherein A represents:



in which the amine is bound at the 2 position of the tetralinyl or naphthyl group.

Unlike the presently claimed compounds, the compounds disclosed by YURA on page 51 and Table 1 are compounds of the formula:



in which the amine is bound at the 1 position of the naphthyl group.

Therefore, the Applicant respectfully requests that the §102(e) rejection of the present claims based on YURA be reconsidered and withdrawn.

### 3. Provisional Double Patenting Rejection

The claims are provisionally rejected for on non-statutory, obviousness-type double patenting based on U.S. Pat. App. No. 10/575,027. The Applicant respectfully requests that this rejection be held in abeyance since the conflicting claims have not yet been patented.

4. Conclusion

The Applicant respectfully requests favorable consideration of this application.

Respectfully submitted,

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